

STATEMENT OF JUSTIFICATION

ZMAP-2023-0004

Hiddenwood Assemblage

Rezoning from the CR-1 district to the PD-IP district

Loudoun County PINs 203-37-7428, 203-37-8437, 203-37-9642, 203-38-0747, 203-38-1952, 203-38-3156, 203-38-4261, 203-38-5465, 203-38-6670, 203-38-7775, 203-38-8980, 203-39-0184, 203-39-1290, 203-39-2395, 203-39-3598, 203-49-4606, 203-49-5711, 203-49-6816, 203-49-8021, 203-49-9224; 29.95 +/- acres (collectively, the “Property”)

May 16, 2023

I. Introduction

The existing homeowners that reside along Hiddenwood Lane have worked together to combine their properties into one assemblage of land for the purpose of rezoning the above referenced Property to a non-residential zoning district, which reflects the changes in land use that are occurring on a constant basis in the immediate vicinity of the Property. The following homeowners will serve as the applicant for the proposed application (collectively, the "Residents"): Edward Y. and Judith C. Papazian; Thomas Devine Harmon and Pornpit Mrigalakshana, Trustees of the Harmon Living Trust; Frank W. Hardesty and Angela Cannady Hardesty; Venugopal Ravva and Vara Laxmi Ravva; Lisa Sweeney Bell and Scott Bell; Nancy L. Ward; Keith E. and Kristin E. Calhoun; Jay Baltzer and Stephanie McGrady; Gary G. and Joyce E. Hosaflook; Brent Bumgardner; Paul C. and Holly A. Farmer; Abdus S. Azad; Sharmeen and Asim Khan; Kashif Iqbal and Ayesha Kashif; Michael E. Duncan; and Patricia Catherine Cave and Jonathan Earley.

The Property is currently zoned Countryside Residential-1 (“CR-1”) pursuant to the Revised 1993 Loudoun County Zoning Ordinance (“Zoning Ordinance”). The Applicant is proposing a rezoning from the CR-1 district to the Planned Development – Industrial Park district (“PD-IP”).

The Property is located in the Dulles Election District and is accessed via Racefield Lane (Route 877) and Youngwood Lane, just north of Route 50. The Property is located within the Ldn 60-65 and Ldn 60 airport noise contours. Portions of the Property are located within the Scenic Creek Valley Buffer of Section 5-1000 of the Zoning Ordinance, are subject to the Steep Slope Standards of Section 5-1508 of the Zoning Ordinance, and are subject to the Floodplain Overlay District of Section 4-1500 of the Zoning Ordinance. The proposed application will comply with the requirements of these Zoning Ordinance sections.

II. Proposal

The recent land use changes and construction of data centers and other industrial uses in the immediate vicinity of the Property, as well as the historical zoning changes that have led to the development of industrial uses at a higher intensity surrounding the Property, have resulted in a profound negative impact on the quality of life for the Residents. The health, safety, and general welfare of the Residents are at risk on an alarmingly regular basis. Even simple daily trips to and from their homes can be hazardous.

Racefield Lane is the only means of access to the Property from Route 50. This roadway was originally built as a country road that served the farming operations that previously existing in the area. The use of this road has evolved dramatically and is now used primarily as a conduit for industrial and construction vehicles. The constant use of these heavy duty vehicles has degraded the roadway to such an advanced state of disrepair that it is almost impassable in certain sections. Before the Residents leave their homes each day, they must think about the ever-present risks to their health and safety just to simply access the outside world.

Pictures tell a thousand words. The Residents have compiled a number of photos, videos, and testimonials that document their daily struggles to get into and out of their homes. These photos, videos, and testimonials can be downloaded via the following links:

<https://photos.app.goo.gl/AtVQv859WQk16zRq6>

https://drive.google.com/drive/folders/12teesO7-xLcxdw-5x9_KhmA6WZm-E1up?usp=share_link

This is an untenable situation and the Residents have chosen to take matters into their own hands. The Residents are proposing to rezone the Property from the CR-1 district to the PD-IP district. This rezoning will enable the Property to conform to the evolving industrial land use pattern that has occurred in the area. Approval of this rezoning will enable the Residents to move on from Hiddenwood Lane and find a better quality of life elsewhere.

The design of the proposed rezoning layout accommodates a wide buffer and open space adjacent to the Briarfield Estates neighborhood to the north. This intentional increase in the setback and the preservation of open space will result in an ample buffer between the existing residential uses and the proposed non-residential uses. There is no access proposed into the Briarfield Estates neighborhood as a result of this rezoning. Unlike the Hiddenwood Residents, whose only legitimate option is to access Racefield Lane in order to enter or exit their neighborhood, the Briarfield Estates residents are able to access their neighborhood to the north via Briarfield Lane (Route 3442), Arcola Mills Drive (Route 621), and Belmont Ridge Road (Route 659). The Hiddenwood Residents are in the uniquely unfortunate position of owning the only residential properties in this area that must access Racefield Lane.

Despite Loudoun County's recent adoption of new airport noise contours, the Property is still subject to noise impacts from existing Runway 12-30. The newly adopted noise contours encumber all of the Property with Ldn 60-65 and Ldn 60 noise contours. Under the previous noise contours, 16 parcels of land within the Property were subject to the Ldn 65+ noise contours, which meant that new residential lots could not be created within this noise contour. The Hiddenwood residential lots predated the adoption of the original noise contours and thus retained their vested rights for residential development when the noise contours were adopted.

III. Transportation

The planned transportation improvements around the Property include the extension of Northstar Boulevard between Evergreen Mills Road and Route 50 as well as the extension of Dulles West Boulevard from Northstar Boulevard to Arcola Boulevard. The extensions of Northstar Boulevard and Dulles West Boulevard will significantly change the traffic patterns in the vicinity of the Property. According to the Traffic Impact Study prepared by Gorove/Slade Associates, Inc., dated April 27, 2023, the study intersections operate at acceptable levels of service in the future without development conditions (2027) and in the future with development conditions (2027) based on a full build development that consists of 785,000 square feet of warehousing use.

IV. Zoning Map Amendment Review Criteria

Section 6-1210 (E) of the Zoning Ordinance contains application evaluation criteria for approval of rezoning applications and, in considering a rezoning application, the following enumerated factors shall be given reasonable consideration. The Zoning Ordinance specifies that an applicant is to address each factor in its statement of justification unless such criteria are deemed inapplicable to the application. The following represents the Applicant's response to these issues:

- (1) § 6-1210 (E) (1) – Appropriateness of the proposed uses based on the Comprehensive Plan, trends in growth and development, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies and the encouragement of the most appropriate use of land throughout the locality.**

While the 2019 General Plan designates the Property as part of the Suburban Neighborhood place type, the proposed rezoning to the PD-IP district serves as an appropriate extension of the Suburban Employment place type that abuts the Property to the south and west. To help create an appropriate transition to the residential properties to the north, the Applicant is preserving a substantial buffer on the Property. This buffer will help mitigate any impacts between the residential and non-residential uses.

- (2) § 6-1210 (E) (2) – The existing character and use of the subject property and suitability for various uses, compatibility with uses permitted and existing on other property in the immediate vicinity, and conservation of land values.**

The existing character of the area is industrial in nature. While a residential neighborhood exists to the north and east of the Property, the areas to the south and west are subject to industrial zoning districts. Industrial buildings are now being constructed on these properties that flank the roadway which provides access to the Property. This wholesale change in land use is the primary reason for this proposed rezoning. This area is no longer composed of sod farms and low-density neighborhoods. It is an industrially-zoned area that is no longer residential in nature.

- (3) § 6-1210 (E) (3) – Adequacy of sewer and water, transportation, and other infrastructure to serve the uses that would be permitted on the property if it were reclassified to a different zoning district.**

Sewer and water will be provided to the Property. Through the completion of road improvements to the surrounding transportation network, as referenced above, the trips produced as a result of the proposed rezoning will be adequately accommodated.

- (4) § 6-1210 (E) (4) – The requirements for airports, housing, schools, parks, playgrounds, recreational areas and other public services.**

The necessary public service requirements of the Zoning Ordinance will be accommodated as part of the proposed rezoning.

- (5) § 6-1210 (E) (5) – Potential impacts on the environment or natural features including but not limited to wildlife habitat, wetlands, vegetation, water quality (including groundwater), topographic features, air quality, scenic, archaeological, and historic features, and agricultural and forestal lands and any proposed mitigation of those impacts.**

The proposed rezoning will mitigate any potential impacts to natural features on the Property in accordance with the regulations included in the Loudoun County Facilities Standards Manual.

- (6) § 6-1210 (E) (6) – The protection of life and property from impounding structure failures.**

This criterion does not apply to the proposed rezoning.

V. Conclusion

The proposed application represents a logical extension of the industrial-zoned land use pattern that has evolved around the Property. Due to this shift in land use, this area is no longer accommodating of residential uses. The access to the Property has become hazardous and can no longer safely support the residential vehicle trips that only have one means of ingress and egress to the Property. A rezoning of the Property will not only resolve the existing land use conflicts that the Residents are experiencing, but the conversion of residential land into non-residential land will serve as a significant increase in tax revenue for Loudoun County. This residential to non-residential conversion will help offset the financial impacts of the development of residential dwelling units elsewhere in the Loudoun County.

For all of the foregoing reasons, the Applicant respectfully requests prompt positive consideration of the application from County staff, the Planning Commission and the Board of Supervisors.